

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEVON CHRISTOPHER WENGER,

Defendant.

Case No. [23-cr-00269-JSW-3](#)

**ORDER RE DEFENDANT DEVON  
WENGER'S REQUEST FOR  
EXTENSION OF TIME TO  
EXCHANGE WITNESS LIST  
PURSUANT TO COURT'S STANDING  
ORDERS**

Re: Dkt. No. 335

Now before the Court is Defendant Devon Wenger's request for an extension of time to exchange anticipated witness testimony pursuant to Paragraph 20 of the Court's standing orders for criminal cases. The Court DENIES the motion.

Paragraph 20 provides:

At the close of each trial day, all counsel shall exchange a list of witnesses for the next two full court days and the exhibits that will be used during direct examination (other than for impeachment of an adverse witness). Within **twenty-four (24)** hours of such notice, all other counsel shall provide any objections to such exhibits and shall provide a list of all exhibits to be used with the same witness on cross-examination (other than for impeachment). The first notice shall be exchanged prior to the first day of trial. All such notice should be provided in writing.

Guidelines for Motions, Final Pretrial Conference, and Trial in Criminal Cases Before the Honorable Jeffrey S. White, ¶ 20.

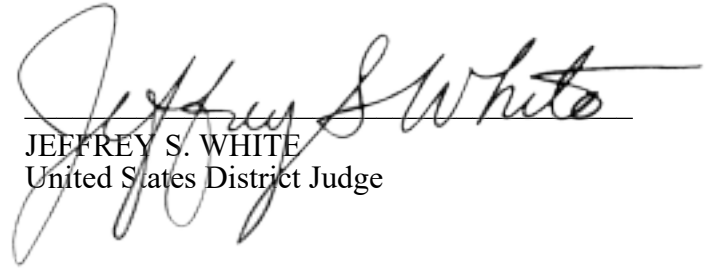
The Government anticipates its presentation to take slightly less than three weeks. The Court does not anticipate Wenger will call witnesses for direct examination. He does not yet need to provide the anticipated order of witnesses for a potential defense presentation.

The Court finds that the Government may be prejudiced if Wenger does not "provide a list of all exhibits to be used with the same [Government] witness on cross-examination (other than

for impeachment)” at least twenty-four hours before the witnesses are called. Accordingly, Wenger shall exchange his anticipated exhibit lists (other than for impeachment) with the other parties.

**IT IS SO ORDERED.**

Dated: February 28, 2025

  
JEFFREY S. WHITE  
United States District Judge